



11-10-04

IFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: René Francois MONET
For: Nectarine Tree 'S 6817'
Serial No.: 10/642,441
Filed: August 14, 2003
Examiner: June Hwu, Art Unit 1661
Docket: BR6.P38

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No: ER 214535947 US

Date of Deposit: November 8, 2004

I hereby certify that the following attached papers and/or fees:

1. Amendment and Response to Office Action
2. Substitute Drawings Figs. 1-5 in duplicate
3. Return Receipt Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle Bos

Signature



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TRANSMITTAL OF AMENDMENT AND RESPONSE TO OFFICE ACTION

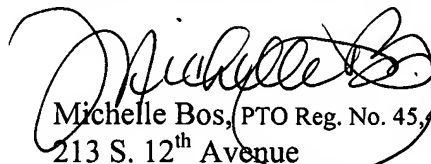
Sir:

In response to the Office Action mailed August 6, 2004, applicant submits herewith an Amendment and Response to Office Action in the above referenced application. Because the due date for this response fell on Saturday, November 6, 2004, this response is timely filed on Monday, November 8, 2004.

Any over or under payment of the required fees may be credited or charged to our deposit account no. 50-0269.

Respectfully Submitted,

STRATTON BALLEW PLLC


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AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Please amend the above referenced application as outlined on the following pages.

Amendments to the specification begin on Page 2.

Amendments to the drawings begin on Page 3.